

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

KAREN RODRIGUES,)	Case No.: 1:22-cv-1077 JLT GSA
)	
Plaintiff,)	ORDER ADOPTING THE FINDINGS AND
)	RECOMMENDATIONS, REMANDING FOR
v.)	FURTHER PROCEEDINGS, AND DIRECTING
)	ENTRY OF JUDGMENT IN FAVOR OF
COMMISSIONER OF SOCIAL SECURITY,)	PLAINTIFF AND AGAINST DEFENDANT
)	COMMISSIONER OF SOCIAL SECURITY
Defendant.)	
)	(Docs. 15, 17, and 19)

Karen Rodrigues seeks judicial review of the administrative decision denying her application for Social Security benefits. (Docs. 1, 15.) The magistrate judge found remand was not warranted based upon Plaintiff's assertion that the administrative law judge lacked authority to adjudicate this case. (Doc. 19 at 15.) However, the magistrate judge found the ALJ erred in evaluating the medical evidence, and recommended remand for further proceedings. (*Id.* at 5-15.) In particular, the magistrate judge recommended the ALJ reconsider evidence related to "Plaintiff's [1] severe left ulnar neuropathy (cubital tunnel syndrome); [2] mild left median neuropathy (carpal tunnel syndrome); [3] cervical degenerative disc disease; [and] [4] aphasia and anxiety." (*Id.* at 16.) Therefore, the magistrate judge recommended Plaintiff's motion for summary judgment be granted in part, and the Commissioner's cross-motion be denied in part. (*Id.*) Further, the ALJ recommended judgment be entered in favor of Plaintiff and against the Commissioner. (*Id.* at 17.)

The Court served the Findings and Recommendations on the parties and notified them that any

1 objections were due within 14 days. (Doc. 19 at 17.) The Court advised the parties that the “failure to
2 file objections within the specified time may result in the waiver of rights on appeal.” (*Id.*, citing
3 *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Neither Plaintiff nor the Commissioner
4 filed objections, and the time to do so has passed.

5 According to 28 U.S.C. § 636(b)(1), this Court performed a *de novo* review of this case.
6 Having carefully reviewed the matter, the Court concludes the Findings and Recommendations are
7 supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 8 1. The Findings and Recommendations (Doc. 19) are **ADOPTED**.
- 9 2. Plaintiff’s motion for summary judgment (Doc. 15) is **GRANTED** in part.
- 10 3. The Commissioner’s request to affirm the decision (Doc. 23) is **DENIED**.
- 11 4. This matter is remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further
12 proceedings consistent with the Findings and Recommendations.
- 13 5. The Clerk of Court is **DIRECTED** to enter judgment in favor of Plaintiff Karen
14 Rodrigues, and against Defendant Commissioner of Social Security.

15
16 IT IS SO ORDERED.

17 Dated: **June 28, 2024**


UNITED STATES DISTRICT JUDGE